

KEIDEL, WELDON & CUNNINGHAM, LLP

ATTORNEYS AT LAW

925 Westchester Avenue, Suite 400
White Plains, New York 10604

Telephone: (914) 948-7000
Telefax: (914) 948-7010 (Not for Service)
<http://www.kwcllp.com>

November 5, 2012

Via Facsimile: 212-805-6737

The Honorable George B. Daniels
United States District Court
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Brian Burke v. Cullen & Troia, P.C. and Kenmore Associates, L.P.
Case No. 12 CIV 4280
Our File: 10895

Dear Judge Daniels:

We represent Defendant Cullen & Troia, P.C. in the above matter. This matter was referred to Magistrate Judge Gabriel W. Gorenstein for a settlement conference, which had been scheduled for November 2, 2012. Obviously, due to the storm, the conference last week did not occur. It was rescheduled for November 30, 2012 at 10:00 a.m.

Previously, a case management conference was scheduled before you on November 8, 2012 as part of the case management order of August 8, 2012. However, since the settlement conference has not occurred yet, all parties have consented to the cancellation of the case management conference this week and request that you enter an order cancelling the same. As suggested by Cheryl of your chambers, we will report to you subsequent to the settlement conference.

Thank you for your attention to this matter. I look forward to hearing from you soon.

Very truly yours,


Robert J. Grande, Esq.

RJG

cc: Jeanne Lahiff, Esq. (Via facsimile 866-565-1327)
Wayne L. Desimone, Esq. (Via Facsimile 516-708-9522)